

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

LOCAL 513, INTERNATIONAL )  
UNION OF OPERATING )  
ENGINEERS, AFL-CIO, et al., )  
 )  
Plaintiffs, )  
 )  
vs. ) Case No. 4:08CV01851 ERW  
 )  
MISSOURI PIPING, INC., )  
 )  
Defendant. )

**ORDER AND JUDGMENT**

This matter is before the Court on Plaintiffs' Motion for Judgment by Default [doc. #6].

Defendant Missouri Piping, Inc. ("Defendant") has failed to enter an order of appearance or file any responsive pleadings since it was served in this action on December 10, 2008. The Clerk of Court entered default against Defendant on January 6, 2009.

On January 9, 2009, the Court ordered the Parties to appear on February 5, 2009, at 9:00 a.m. in Courtroom 12 South, and further advised Defendant that its failure to appear would likely result in the entry of default judgment. On February 5, 2009, Plaintiffs were represented before the Court by James R. Kimmey and Defendant did not appear.

Accordingly,

**IT IS HEREBY ORDERED** that Plaintiff's Motion for Judgment by Default [doc. #6] is **GRANTED**.

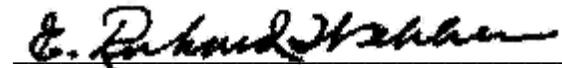
**IT IS FURTHER ORDERED** that judgment is entered in favor of Plaintiffs and against Defendant Missouri Piping, Inc., for the sum of \$41,438.92, consisting of \$15,314.85 in

delinquent contributions, \$436.21 in pre-judgment interest, \$350.00 in court costs, and \$25,332.86 in attorney's fees.

**IT IS FURTHER ORDERED** that Defendant Missouri Piping, Inc. shall submit to an audit, at its cost, within forty-five (45) days of the date of this Order.

**IT IS FURTHER ORDERED** that the April 3, 2009 hearing is **VACATED** and this cause is now set for hearing on May 7, 2009 at 9:00 a.m., in Courtroom 12 South, at which time Plaintiffs shall be given leave to present additional evidence as to damages, specifically liquidated damages.

Dated this 20th Day of March, 2009.



E. RICHARD WEBBER  
UNITED STATES DISTRICT JUDGE